

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

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THE TELEPHONE NUMBER FOR THE  
U.S. BANKRUPTCY COURT, WDNC IS  
(704) 350-7500

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08/27/18

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, AUGUST 27, 2018

9:30 a.m.

- |    |   |                                              |          |                                                                                                                                                                                                                        |
|----|---|----------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) | 7 | Michael T. Phillips<br>Catherine B. Phillips | 13-32607 | Continued hearing on Trustee's First Omnibus<br>Objections to Claims (75); Response of<br>Southern Pool Co., LLC (76)                                                                                                  |
|    |   | CULP<br>JOHNSON, TR.                         |          |                                                                                                                                                                                                                        |
|    |   | -----                                        |          |                                                                                                                                                                                                                        |
| 2) | 7 | James F. Gillespie                           | 17-31100 | Hearing on Trustee's Motion for Order<br>Requiring the Clerk of Superior Court for<br>Cabarrus County, North Carolina to Turnover<br>Surplus Proceeds from the Foreclosure Sale of<br>Real Property (55)               |
|    |   | PREVOST<br>TAYLOR, TR.                       |          |                                                                                                                                                                                                                        |
|    |   | -----                                        |          |                                                                                                                                                                                                                        |
| 3) | 7 | Robert N. Parks                              | 17-31840 | Continued hearing on Trustee's Motion for<br>Authority to Conduct Sale of Real Property<br>Free and Clear of Liens and Interests and to<br>Approve Carve Out (25); Response of<br>Specialized Loan Servicing, LLC (32) |
|    |   | SCHWILM<br>C. WRIGHT, TR<br>STALEY           |          |                                                                                                                                                                                                                        |
|    |   | -----                                        |          |                                                                                                                                                                                                                        |

- 4) 7 Nichole Turner 18-30022 Continued hearing on Debtor's Motion for Sanctions [Iasia Strickland and James Mitchell] (22)
- R. MITCHELL
- 
- 5) 7 Jeremy W. LeClair 18-30903 Hearing on Motion of the USA to Dismiss Entities from Case and to Dismiss Individual for Improper Venue (13)
- Hearing on Debtor's Motion to Transfer Case (14)
- ELLIOTT  
SHUFORD, TR.  
BECK
- 
- 6) 7 Aaron D. Bellamy 18-30909 Court Order for Debtor to Appear and Show Cause (15)
- PRO SE  
SHUFORD, TR.
- 
- 7) 7 Bradley Construction Inc. 16-31100 Hearing on Motion of Ranger Concrete, LLC, et al. for Order Allowing Chapter 7 Administrative Expense Claim (184)
- PRO SE  
SHUFORD, TR./WOODMAN  
HENDERSON
- 
- 8) 7 April Mckie 18-30784 Court Order for Debtor to Appear and Show Cause (18)
- PRO SE  
COOPER, TR.
- 
- 9) 7 Carona C. Moore 18-30913 Court Order for Debtor to Appear and Show Cause (21)
- Hearing on Debtor's Motion to Convert (10)
- Hearing on the Bankruptcy Administrator's Motion to Dismiss (18)
- PRO SE  
MITCHELL, TR.  
ABEL
-

10) 7 Roosevelt Anderson, Jr. 18-31110 Hearing on the Bankruptcy Administrator's  
Maryellen Anderson Motion to Dismiss (6)

PRO SE  
MITCHELL, TR.  
ABEL

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10:00 a.m.

11) Adv Langdon M. Cooper, 15-3010 Status hearing regarding Order  
Trustee Ch. 7 Granting in Part and Denying in Part  
v. 13-40034 Motion to Approve Binding  
Allen Langley 13-40035 Mediation-Arbitration Agreement (38)

DOVE  
MCKEE/GARDNER III

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**08/28/18**

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

**TUESDAY, AUGUST 28, 2018**

**9:30 a.m.**

- |    |     |                                                                        |                               |                                                                                                                                                                                      |
|----|-----|------------------------------------------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) | Adv | The Finley Group<br>v.<br>Daniel J. Roselli and<br>Sara G. Roselli     | 17-3063<br>Ch. 11<br>12-32462 | Hearing on Defendants' Motion for Order<br>Requiring Compliance (56)                                                                                                                 |
|    |     | HOUSTON / BROWN<br>PEARCE                                              |                               |                                                                                                                                                                                      |
|    |     | -----                                                                  |                               |                                                                                                                                                                                      |
| 2) | 11  | Schletter, Inc.                                                        | 18-40169                      | Hearing on Debtor's Motion to Engage Carol<br>Black and Janice Weibelhaus as Independent<br>Representatives of the Debtor (252)                                                      |
|    |     |                                                                        |                               | Hearing on Motion of Schletter W-2 Claimants<br>for Leave to File a Class Proof of Claim (225)                                                                                       |
|    |     | GHIDINA / CRABTREE / HUETHER<br>J. MARTIN                              |                               |                                                                                                                                                                                      |
|    |     | -----                                                                  |                               |                                                                                                                                                                                      |
| 3) | 11  | Joseph G. Jemsek                                                       | 06-31986                      | Hearing on Motion of VT Inc. to Reconsider<br>Order Sustaining Objection to Claims (1121/1109)                                                                                       |
|    |     | HENDERSON<br>OGBURN                                                    |                               |                                                                                                                                                                                      |
|    |     | -----                                                                  |                               |                                                                                                                                                                                      |
| 4) | Adv | Ace Motor Acceptance<br>Corporation<br>v.<br>McCoy Motors, LLC, et al. | 18-3036<br>Ch. 11<br>18-30426 | Hearing on Plaintiff's Motion for Order<br>Finding Defendants in Contempt of<br>June 25, 2018 Order Concerning Interim<br>Servicing of Accounts of Vehicle Buyers<br>(25); Order (8) |
|    |     | HENDERSON<br>LANG                                                      |                               | Pretrial Conference (21)                                                                                                                                                             |
|    |     | -----                                                                  |                               |                                                                                                                                                                                      |

5) 11 Ace Motor Acceptance  
Corporation

18-30426

Hearing on Application of Hamilton  
State Bank for Allowance and Payment  
of Fees and Expenses (103)

HENDERSON  
KIAH

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**08/31/18**

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, AUGUST 31, 2018

*Steven G. Tate, Trustee*

9:30 a.m.

- |    |    |                                         |          |                                                                                                                                                                 |
|----|----|-----------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) | 13 | Jeremy R. Terry<br>Elizabeth R. Conn    | 16-40011 | Hearing on Trustee's Motion to Dismiss Case (49)                                                                                                                |
|    |    | PITTS, BEN                              |          |                                                                                                                                                                 |
|    |    | -----                                   |          |                                                                                                                                                                 |
| 2) | 13 | Ronald M. Needham                       | 16-40167 | Hearing on Trustee's Motion for Status Hearing (65)<br><br>Hearing on Debtor's Motion for Approval of Permanent Loan Modification (66); Trustee's Response (68) |
|    |    | GOUDES                                  |          |                                                                                                                                                                 |
|    |    | -----                                   |          |                                                                                                                                                                 |
| 3) | 13 | Nikkara A. Thompson                     | 17-40123 | Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (30)                                                                                    |
|    |    | DALRYMPLE                               |          |                                                                                                                                                                 |
|    |    | -----                                   |          |                                                                                                                                                                 |
| 4) | 13 | Charlotte M. Banner                     | 17-40167 | Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (59)                                                                                              |
|    |    | WOOD                                    |          |                                                                                                                                                                 |
|    |    | -----                                   |          |                                                                                                                                                                 |
| 5) | 13 | Emanuel D. Brady, Jr.<br>Megan Y. Brady | 17-40442 | Hearing on Trustee's Motion to Dismiss Case (31)                                                                                                                |
|    |    | NACHAMIE                                |          |                                                                                                                                                                 |
|    |    | -----                                   |          |                                                                                                                                                                 |
| 6) | 13 | Sonya B. Brendle                        | 18-40254 | Court Order for Debtor to Appear and Show Cause (13)                                                                                                            |
|    |    | HAY                                     |          |                                                                                                                                                                 |
|    |    | -----                                   |          |                                                                                                                                                                 |

- 7) 13 Michael D. Greene  
Angela S. Greene 14-40149 Hearing on Debtors' Motion for Mortgage Status Hearing and for Order that Mortgage Holder and/or Servicer Pay Debtors' Attorney Fees (30)
- PLANER  
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- 8) 13 Mark A. Stevens 18-40078 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (29); Plans (7, 17, 20, 24)
- PLANER  
-----
- 9) 13 Larry V. Pearson 18-40116 Hearing on Trustee's Motion to Dismiss Case (18)
- PLANER  
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- 10) 13 Janice L. Dellinger 15-40100 2nd continued hearing on Debtor's Motion for Approval of Loan Modification (41); Response of CitiMortgage, Inc. (43); Trustee's Response (44)
- VUJOVIC  
JONAS  
-----
- 11) 13 Cole L. Jordan, Jr.  
Christina G. Jordan 17-40011 Continued hearing on Trustee's Motion to Modify Plan (50); Debtors' Response (51)
- VUJOVIC  
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- 12) 13 Deborah T. Dixon 16-40082 Hearing on Debtor's Objection to Notice of Post-Petition Mortgage Fees, Expenses & Charges and Notice of Mortgage Payment Change (35)
- Y. TAYLOR  
-----  
*SETTLED; CONSENT ORDER*
- 13) 13 James O. Elliott, II 17-40370 Continued hearing on Trustee's Motion for Status Hearing (42)
- Y. TAYLOR  
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14)	13	Melanie C. Johnson FARMER -----	17-40446	Hearing on Debtor's Motion to Modify Chapter 13 Plan (36); Trustee's Response (40)
15)	13	Charles D. Wilson Angela T. Wilson FARMER MENK -----	18-40121	Continued hearing on Objection of Wells Fargo Bank, N. A. to Confirmation of Plan (19); Plan (12)
16)	13	Martha A. Dale FARMER LAMB -----	18-40250	Hearing on Objection of Specialized Loan Servicing, LLC to Confirmation of Plan (14); Plan (10)
17)	13	Timothy A. Powell Nancy L. Powell WILLCOX -----	16-40498	Continued hearing on Trustee's Motion to Dismiss Case or Modify Plan (38)
18)	13	Bradley G. Blake Sherry L. Blake WILLCOX -----	17-40032	Hearing on Trustee's Motion to Dismiss Case (31)
19)	13	James A. Smith WILLCOX LUTZ -----	18-40098	Continued hearing on Trustee's Objection to Claim [Allied Financial Services] (21); Response of Allied Financial Services, Inc. (24)
20)	13	Nancy J. Hensley WILLCOX -----	18-40242	Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (12); Plan (2)
21)	13	David M. Boldon WILLCOX -----	18-40245	Continued hearing on Motion of Kelly L. Burris Boldon for Relief from Stay and, as Applicable, Co-Debtor Stay (7; Amendment 12)

22)	13	Christian T. McCall CARTER -----	14-40121	Continued hearing on Trustee's Motion to Dismiss Case (38)
23)	Adv	Gary S. Smith Carol C. Smith CARTER -----	14-40176	Hearing on Application for Attorney Fees and Reimbursement of Expenses (21); Trustee's Response (22)
24)	13	Benjamin McLean, Jr. Sandra McClean (Deceased) CARTER -----	16-40028	Hearing on male Debtor's Motion for Hardship Discharge (48); Trustee's Response (50)
25)	13	Kevin L. Fillenwarth Millie E. Fillenwarth CARTER -----	17-40127	Hearing on Debtors' Motion to Modify Chapter 13 Plan and Surrender the 2014 Ford Fusion (35/40); Trustee's Response (36)
26)	13	Michael L. Rainey Vista J. Rainey CARTER -----	17-40161	2nd continued hearing on Trustee's Motion for Status hearing (34)
27)	13	Dana S. DeHart CARTER -----	17-40386	Continued hearing on Trustee's Motion for Status Hearing (21)
28)	13	Barry E. Taylor Linda M. Taylor CARTER -----	17-40396	Continued hearing on Trustee's Motion for Status Hearing (35)
29)	13	Edward F. Thompson CARTER -----	18-40021	Continued hearing on Trustee's Motion for Status Hearing (21)  Hearing on Debtor's Amended Motion to Modify Plan (24/ 22); Trustee's Response (23)

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|-----|----|-----------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 30) | 13 | Pearlene L. Strong<br>LUTZ<br>-----                                   | 14-40170 | Hearing on Trustee's Motion to Dismiss Case (44)                                                                                            |
| 31) | 13 | Dovie L. Tessener<br>LUTZ<br>-----                                    | 14-40543 | Hearing on Trustee's Motion to Dismiss Case (35)                                                                                            |
| 32) | 13 | Sherry Logan and<br>Ditech Financial, LLC<br>LUTZ<br>MEADOWS<br>----- | 17-40076 | Hearing on Motion of Citibank, N.A. for Relief from Automatic Stay or, in the Alternative, Adequate Protection (23); Debtor's Response (26) |
| 33) | 13 | Alfred Johnson<br>Barbara A. Johnson<br>LUTZ<br>-----                 | 17-40117 | Continued hearing on Trustee's Motion to Dismiss Case (38)                                                                                  |
| 34) | 13 | Alpheus D. Howell<br>LUTZ<br>JONAS<br>-----                           | 17-40179 | 4th continued hearing on Motion of Bayview Loan Servicing, LLC for Relief from Stay (32); Debtor's Response (33)                            |
| 35) | 13 | Mathew E. Edwards<br>Lisa D. Edwards<br>LUTZ<br>JONAS<br>-----        | 18-40035 | Hearing on Debtors' Motion for Authority to Sell Property and Modify Plan (24); Response of U. S. Bank National Association (25)            |
| 36) | 13 | Carla L. Swink Keeter<br>LUTZ<br>-----                                | 18-40054 | 3rd continued hearing on Trustee's Objection to Confirmation of Chapter 13 Plan; Motion to Dismiss (11); Amended Plan (7); Plan (2)         |

37) 13 Justen N. Hamrick 18-40100 Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (16); Plan (11, 2)

LUTZ

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38) 13 William R. Cash, Jr.  
Lisa G. Cash 18-40135 2nd continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (7); Plan (2)

LUTZ

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39) 13 Kenneth E. Moore  
Keisha A. Moore 18-40092 Continued hearing on Motion of Bank of America, N. A. for Relief from Automatic Stay (25); Debtors' Response (27)

Hearing on Motion of Bank of America, N. A. for Relief from Automatic Stay or, in the Alternative, Adequate Protection (29); Debtors' Response (30)

Hearing on Motion of Bank of America, N.A. for Relief from Automatic Stay or, in the Alternative, Adequate Protection (24); Debtors' Response (28)

LUTZ  
SPICER

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40) 13 Paula M. Hurd 18-40280 Hearing on Trustee's Motion for Turnover of Funds (8)

LUTZ

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41) 13 Robert L. Wilson 12-40244 3rd continued hearing on Debtor's Motion for Violation of Discharge Order and Violation of Confirmed Plan (91); Response of Ocwen Loan Servicing, LLC (92)

W. S. GARDNER  
COX

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42) 13 Jeffrey S. Thackerson  
Gennie F. Thackerson 13-40401 Hearing on Motion of Wells Fargo Bank for Relief from the Automatic Stay or, in the Alternative, Adequate Protection (55); Debtors' Objection (56)

W. S GARDNER  
DAVIS

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43)	13	Margaret L. Freeman	16-40300	Continued hearing on Trustee's Motion to Dismiss Case (26)  Hearing on Debtor's Motion to Approve Permanent Loan Modification (29); Trustee's Response (32)  Hearing on Debtor's Motion to Modify Plan (34)
		W. S. GARDNER -----		
44)	13	Vicente Garcia	16-40401	5th continued hearing on Trustee's Motion to Dismiss Case (34)  4th continued hearing on Debtor's Objection to Notice of Mortgage Change (35); Notice filed 01/12/2018; Trustee's Response (36); Response of Ditech Financial, LLC (37)
		W. S. GARDNER STALEY -----		
45)	13	Sue C. Hyder	17-40042	6th continued hearing on Motion of Caliber Home Loans for Relief from Stay and Co-Debtor Stay (38); Debtor's Response (40)
		W. S. GARDNER VONNEGUT -----		
46)	13	Arthur P. Earls Jolynne P. Earls	17-40148	Hearing on Trustee's Motion to Dismiss Case (36)
		W. S. GARDNER -----		
47)	13	Charles D. Merck, Jr. Suzanne C. Merck	17-40171	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)
		W. S. GARDNER -----		
48)	13	Anthony Smith	17-40242	Continued hearing on Trustee's Motion to Dismiss Case (27)
		W. S. GARDNER -----		

49)	13	Eula C. Baker	17-40318	Hearing on Trustee's Motion to Dismiss Case (23)
		W. S. GARDNER		
		-----		
50)	13	Milton L. Hopper Freda B. Hopper	18-40045	Hearing on Trustee's Motion for Status Hearing (22)
		W. S. GARDNER		Hearing on Debtors' Motion for Approval of Physical Damage Insurance Settlement Regarding Motor Vehicle and to Modify Ch. 13 Plan (23); Trustee's Response (24)
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51)	13	Billie L. Mitchell	18-40154	Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (9); Plan (4)
		W. S. GARDNER		
		-----		
52)	13	Georgia A. Wilson	18-40177	Hearing on Trustee's Motion for Status Hearing (19)
		W. S. GARDNER		
		-----		
53)	13	Bonita B. Smith	18-40209	Continued hearing on Trustee's Objection to Confirmation of Plan (11); Plan (4)
		W. S. GARDNER		
		-----		
54)	13	Jerry W. Ramsey, Jr. Donna F. Ramsey	18-40220	Hearing on Debtors' Objection to Proof of Claim filed by Atrium Health (10)
		W. S. GARDNER		Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (11); Plan (8)
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55)	13	Todd W. Crisp	18-40225	Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (13); Plans (12/4)
		W. S. GARDNER		
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56)	13	Alan T. Jugar	18-40256	Court Order for Debtor to Appear and Show Cause (14)
				Hearing on Trustee's Motion to Dismiss Case (15)
		W. S. GARDNER		
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57)	13	Angela H. Brown	18-40293	Court Order for Debtor to Appear and Show Cause (5)
		W. S. GARDNER		
		-----		
58)	13	Darlene D. Payne	18-40295	Court Order for Debtor to Appear and Show Cause (9)
		W. S. GARDNER		
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59)	13	Shawn P. Hougas	18-40246	Court Order for Debtor to Appear and Show Cause (8)
				Hearing on the Bankruptcy Administrator's Motion to Dismiss (9)
		PRO SE ABEL		
		-----		
60)	13	Carla J. Kiser	18-40296	Court Order for Debtor to Appear and Show Cause (6)
		PRO SE		
		-----		
61)	13	Susan L. Elberti	18-40307	Court Order for Debtor to Appear and Show Cause [Voluntary Petition] (6)
				Court Order for Debtor to Appear and Show Cause [Temporary Waiver of Credit Counseling] (7); Amendment to Amended Response of the Bankruptcy Administrator (14/13/12)
		PRO SE		
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**10:30 a.m.**

- 62) 11 Leonard J. McNeilly 15-40342 Continued for status hearing (110)  
Jo Nell N. McNeilly  
  
W. S. GARDNER  
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- 63) 7 Bernice E. Cole 18-40079 Continued hearing on Objection of John W.  
Ballard, III to Exemptions (18)  
  
CARTER  
HENDERSON, TR.  
-----
- 64) 7 Glenn A. Williams 18-40139 Continued hearing regarding Order  
Harriet H. Williams Granting Debtors' Motion Requesting  
Extension of Time and Excusing Male Debtor  
from Attending the 341 Meeting of Creditors  
(21/14)  
  
MCKEE  
COOPER, TR.  
-----
- 65) 7 Lisa W. Emory 18-40198 Court Order for Debtor to Appear and  
Show Cause [Order Granting Application to  
Pay Filing Fees in Installments] (34)  
  
Court Order for Debtor to Appear and Show  
Cause [Amended Schedules] (36)  
  
PRO SE  
F. HENDERSON, TR.

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***NO COURT***

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***UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA***

***THERE ARE NO HEARINGS SCHEDULED FOR  
AUGUST 29 - 30, 2018***

***SCHEDULE CHANGES OCCUR DAILY;  
PLEASE REFER TO ANY FILED NOTICES,  
OR ADVISE THE COURT IF THERE IS A NEED  
FOR A SPECIAL HEARING DATE.***